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GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7/11/2015-LA

The Goa Industrial Development (Amendment) Act, 2015 (Goa Act 12 of 2015), which has been passed by the Legislative Assembly of Goa on 12-08-2015 and assented to by the Governor of Goa on 01-09-2015, is hereby published for the general information of the public.

D. S. Raut Dessai, Under Secretary, Law (Legislative Affairs).

Porvorim, 7th September, 2015.

The Goa Industrial Development (Amendment) Act, 2015

(Goa Act 12 of 2015) [1-9-2015]

AN

ACT

further to amend the Goa Industrial Development Act, 1965 (Act 22 of 1965).

Be it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Industrial Development (Amendment) Act, 2015.

(2) It shall come into force at once.

2. *Amendment of section 33:*— In section 33 of the Goa Industrial Development Act, 1965 (Act 22 of 1965) (hereinafter referred to as the “principal Act”),—

- (i) in sub-section (1) for the words “ten thousand” and “five hundred”, the words “one lakh” and “five thousand” shall be respectively substituted.
- (ii) in sub-section (2), for the words “five thousand”, the words “fifty thousand” shall be substituted.

3. *Amendment of section 37B.*— In section 37B of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Notwithstanding anything to the contrary contained in any other law for the time being in force, once a notification is issued under sub-section (1) of section 37A declaring an industrial area as a notified area, the State Government may by notification in the Official Gazette, appoint a Committee consisting of— (i) the Managing Director of the Corporation ... Chairperson; (ii) Under Secretary (Revenue) to the Government of Goa ... Member; (iii) One member nominated by the Corporation

from amongst the Directors of the Corporation having knowledge in the field of engineering, architecture, industry, etc. Member; (iv) an officer not below the rank of Deputy Town Planner to be nominated by the Government ... Member Secretary; (v) Chief General Manager (Engineering)/General Manager (Engineering) of the Goa Industrial Development Corporation ... Member, (vi) an officer to be nominated by the Government ... Member; to decide and dispose of all applications for land development, permissions, under all local or special laws including Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) and rules framed thereunder (hereinafter in this section referred to as the "said Act")".

Secretariat,
Porvorim, Goa.
Dated 7-9-2015.

S. G. MARATHE
Joint Secretary (Law)
and Link Law
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/12/2015-LA

The Goa Agricultural Tenancy (Amendment) Act, 2015 (Goa Act 11 of 2015), which has been passed by the Legislative Assembly of Goa on 13-08-2015 and assented to by the Governor of Goa on 01-09-2015, is hereby published for the general information of the public.

D. S. Raut Dessai, Under Secretary, Law
(Legislative Affairs).

Porvorim, 7th September, 2015.

**The Goa Agricultural Tenancy
(Amendment) Act, 2015**

(Goa Act 11 of 2015) [1-9-2015]

AN

ACT

*further to amend the Goa, Daman and Diu
Agricultural Tenancy Act, 1964 (Act 7 of 1964).*

Be it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Agricultural Tenancy (Amendment) Act, 2015.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964) (hereinafter referred to as the "principal Act"), in clause (23), the expression "but shall not include a person, who is cultivating, or undertaking and carrying out agricultural operations upon a land by an agreement referred to in sub-section (1) of section 4A of this Act;" shall be omitted.

3. *Omission of section 4A.*— Section 4A of the principal Act shall be omitted.

4. *Omission of section 60C.*— Section 60C of the principal Act shall be omitted.

5. *Insertion of new section of 60E.*— After section 60D of the principal Act, the following new section shall be inserted, namely:—

"60E. *Regarding duties, functions and powers of Mamlatdar.*— Notwithstanding anything contained in this Act, including clause (15) of section 2, the Mamlatdar shall be deemed to have validly performed the duties and functions and exercised the powers of the Mamlatdar, before the date of commencement of the Goa Agricultural Tenancy (Amendment) Act, 2015, as if such powers were vested in him at all material times under this Act."

6. *Insertion of new section 61A.*— After section 61 of the Principal Act, the following new section shall be inserted, namely:—

"61A. *Validation of notices, proceedings, orders, etc., of the Mamlatdar.*— (1) Notwithstanding anything contained in this Act or in any judgment, decree or order of any Court or Tribunal or any other authority to the contrary, all notices given inquiries held, proceedings conducted, disputes decided, orders passed and all actions taken or done by any Mamlatdar, purporting to act as the Mamlatdar under this Act, before the

commencement of the Goa Agricultural Tenancy (Amendment) Act, 2015 shall, for all purposes, be deemed to be and to have always been validly given, held, conducted, decided, passed, taken or done, as the case may be, in accordance with the provisions of this Act.

(2) No suit or other legal proceedings shall lie or be maintained or continued in any Court or any Tribunal or any other authority for challenging or questioning the validity of any notice given, inquiry held, proceeding conducted, dispute decided order passed or action taken by a Mamlatdar under this Act, before the commencement of the Goa Agricultural Tenancy (Amendment) Act, 2015 on the ground that appointment of Mamlatdar was illegal or invalid or irregular by reason of the fact that Mamlatdar was not duly appointed to perform the functions of the Mamlatdar in accordance with the provisions of this Act or on any other ground and no Court or Tribunal or any other authority shall enforce or recognise any decree, judgment or order passed declaring any such action taken or things done as invalid or unlawful”.

Secretariat,
Porvorim, Goa.
Dated 7-9-2015.

S. G. MARATHE
Joint Secretary (Law)
and Link Law
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/13/2015-LA

The Goa Mundkars (Protection from Eviction) (Amendment) Act, 2015 (Goa Act 10 of 2015), which has been passed by the Legislative Assembly of Goa on 13-08-2015 and assented to by the Governor of Goa on 01-09-2015, is hereby published for the general information of the public.

D. S. Raut Dessai, Under Secretary, Law
(Legislative Affairs).

Porvorim, 7th September, 2015.

The Goa Mundkars (Protection from Eviction) (Amendment) Act, 2015

(Goa Act 10 of 2015) [1-9-2015]

AN

ACT

further to amend the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act 1 of 1976).

Be it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Mundkars (Protection from Eviction) (Amendment) Act, 2015.

(2) It shall come into force at once.

2. *Omission of section 37A.*— Section 37A of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act 1 of 1976) shall be omitted.

Secretariat,
Porvorim, Goa.
Dated 7-9-2015.

S. G. MARATHE
Joint Secretary (Law)
and Link Law
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/16/2015-LA

The Goa Value Added Tax (Eighth Amendment) Act, 2015 (Goa Act 13 of 2015), which has been passed by the Legislative Assembly of Goa on 14-08-2015 and assented to by the Governor of Goa on 01-09-2015, is hereby published for the general information of the public.

D. S. Raut Dessai, Under Secretary, Law
(Legislative Affairs).

Porvorim, 7th September, 2015.

The Goa Value Added Tax (Eighth Amendment) Act, 2015

(Goa Act 13 of 2015) [1-9-2015]

AN

ACT

further to amend the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005).

Be it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Value Added Tax (Eighth Amendment) Act, 2015.

(2) It shall come into force at once.

2. *Amendment of section 29.*— In section 29 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “principal Act”), in sub-section (3),—

(i) in the first proviso, for the words “two years”, the words “three years” shall be substituted;

(ii) after the third proviso, the following proviso shall be inserted, namely:—

“Provided also that, where a registered dealer who has filed all the returns for a particular financial year, within the prescribed time limit, claiming for that financial year, in said return/s, a refund of any amount of tax paid in excess of the

amount due from him under this Act or unduly paid by him and/or for excess of input tax credit over output tax payable under this Act, but remained unassessed beyond the limitation period specified in the Act, the Commissioner shall, upon an application made by the dealer claiming refund of tax or excess of input tax credit, proceed to assess by himself or order in writing to any other officer appointed under section 13 of this Act to carry out assessment of, such dealer, after giving him an opportunity of being heard. The dealer who makes such application under this proviso shall be precluded from filing an appeal against any such order.”.

3. *Amendment of section 1 of Act 12 of 2013.*— In section 1 of the Goa Value Added Tax (Seventh Amendment) Act, 2013 (Act 12 of 2013), for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Section 2(i) and sections 3 to 22 shall come into force on the 1st day of June, 2013 and section 2(ii) shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.”.

Secretariat,
Porvorim, Goa.
Dated 7-9-2015.

S. G. MARATHE
Joint Secretary (Law)
and Link Law
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

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